

FISCAL IMPACT STATEMENT ON BILL NO. **S. 789**

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TO:	The Honorable Glenn McConnell, Chairman, Senate Judiciary Committee		
FROM:	Office of State Budget, Budget and Control Board		
ANALYSTS:	Rodney Grizzle and Ken Brown		
DATE:	May 24, 2005	SBD:	2005458

AUTHOR:	Senator Fair	PRIMARY CODE CITE:	17-1-25
SUBJECT:	Individual May Not be Tried as an Youthful Offender for Certain Crimes		

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

A Cost to the General Fund (See Below)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

\$0 (No additional expenditures or savings are expected)

BILL SUMMARY:

Senate Bill 789 amends Chapter 1, Title 17 of the Code of Laws of South Carolina, 1976, by adding Section 17-1-25 which prohibits an individual from being tried or sentenced as a Youthful Offender if the individual has allegedly committed or has been convicted of a violent crime.

EXPLANATION OF IMPACT:

Judicial Department

The Department indicates there will be a minimal impact on the General Fund of the State, which can be absorbed by the agency at the current level of funding.

Department of Corrections

The Department indicates that the proposed Bill would increase the daily population count by approximately 602 inmates. The Department further indicates that, since affected offenders are currently released after serving 12 months compared to an average of 29 months as required by the Bill, the expected increase in inmate count would be realized shortly after Bill passage. The Department states that it does not have excess capacity nor can additions be made to existing facilities. Consequently, the Department would need to construct a new medium/maximum facility to handle the increase. The cost to construct such a facility would be \$84,000,000 in one time costs and recurring costs of \$6,622,000 for staffing and operations. The estimated costs are based on a 1,200 bed facility which the Department has historically constructed to achieve economies of scale. If the Department chose to construct a 600 bed facility, the one time cost would be reduced by 40%.

Departments of Juvenile Justice, and Probation, Pardon and Parole Services

The Departments indicate enactment of this Bill would have no impact on the General Fund of the State or Federal and/or Other Funds.

Approved by:



Don Addy
Assistant Director, Office of State Budget